

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DOUGLAS P. BROWN,

Plaintiff

v.

EDMOND CHEVROLET, INC., SHULTS

SALES AND LEASING, INC., EDMOND

R. SHULTS, JR., TIM M. SHULTS,

Defendants

Civil Action No. 04 - 177 ERIE

**RENEWED MOTION OF MacDONALD, ILLIG, JONES & BRITTON LLP  
TO WITHDRAW AS COUNSEL FOR PLAINTIFF, DOUGLAS P. BROWN**

1. Movant, MacDonald, Illig, Jones & Britton LLP, is counsel of record for Plaintiff, Douglas P. Brown, in the above-captioned matter.

2. The status of this case presently is that depositions of Plaintiff Douglas Brown and his wife Christine Brown were scheduled for December 7, 2005, but rescheduled at the request of Michael Agresti, Esquire, so that he could review the file in this matter. Defendants' counsel consented to this continuance. Mr. Agresti is considering representing Mr. Brown in this matter.

3. Movant, MacDonald Illig Jones and Britton LLP previously filed a Motion to Withdraw as Counsel which was considered by the Court on October 7, 2005.

4. The Motion was denied at that time because Answers to Interrogatories and Responses to Requests for Production of Documents were outstanding.

5. The Court directed that these discovery responses be served by October 21, 2005 and, after a one-week extension granted by defendants' counsel, the discovery responses were served on or before October 28, 2005.

6. No additional written discovery is outstanding.

7. Movant, MacDonald, Illig, Jones & Britton LLP and Plaintiff, Mr. Brown, have developed irreconcilable differences with regard to the Movant's continued representation of Plaintiff. MacDonald, Illig, Jones & Britton LLP has advised Plaintiff of its decision to seek leave to withdraw as counsel.

8. On behalf of Plaintiff, Movant, MacDonald, Illig, Jones & Britton LLP, requests that the Court grant Plaintiff an additional sixty (60) days within which to secure new counsel for further prosecution of this matter.

9. MacDonald, Illig, Jones & Britton LLP's withdrawal as counsel of record at this stage of the litigation should not postpone the ultimate resolution of this matter.

WHEREFORE, Movant respectfully requests this Honorable Court to grant its Motion of MacDonald, Illig, Jones & Britton LLP to Withdraw as Counsel for Plaintiff, Douglas P. Brown.

Respectfully submitted,

s/Thomas A. Pendleton  
W. Patrick Delaney  
Thomas A. Pendleton  
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Attorneys for Plaintiff  
Douglas P. Brown

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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Renewed Motion of MacDonald, Illig, Jones & Britton LLP to Withdraw as Counsel for Plaintiff, Douglas P. Brown, was served upon the following via First-Class United States Mail, postage prepaid, this 13th day of December 2005:

Andrew J. Conner, Esquire  
Conner Riley & Fryling  
17 West 10th Street  
P.O. Box 860  
Erie, PA 16512-0860

Douglas P. Brown  
12713 Bowen Road  
Randolph, NY 14772

s/Thomas A. Pendleton

Thomas A. Pendleton, Esquire